

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kurt Dobbins et al.
Serial No: 10/791,655
Confirmation No: 2712
Filed: March 1, 2004
For: DISTRIBUTED CONNECTION-ORIENTED SERVICES
FOR SWITCHED COMMUNICATION NETWORKS
Examiner: Toan D. Nguyen
Art Unit: 2416

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being electronically filed in accordance with § 1.6(a)(4), on the 24th day of March, 2010.

/James C. De Vellis/
James C. De Vellis, Reg. No. 52,814

Commissioner for Patents

**REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
PURSUANT TO WYETH DECISION AND INTERIM PROCEDURE**

Dear Sir:

Patentees hereby request that the Patent Term Adjustment for the above-identified U.S. Patent be reconsidered. It is Patentee's belief that the Patent Term Adjustment on the issued patent (set at 908 days as stated on the Determination of Patent Term Adjustment document mailed from the Patent Office on December 24, 2009 is incorrect and that the Patent Term Adjustment for which the above-identified patent is entitled is **1408 days** based on non-overlapping "B" type delay.

Patentee respectfully submits this request for recalculation of Patent Term Adjustment. It is the Patentee's understanding that no fee is due for this request, however, if there is a fee occasioned by this request, please charge any deficiency to Deposit Account No. 50/2762, Reference No. E2003-701430.

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CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. If any issues are presented by this request, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an accompanying payment, please charge any deficiency to Deposit Account No. 50/2762, Reference E2003-701430.

Respectfully submitted,

Kurt Dobbins et al., Applicant

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